

**Minutes of Meeting
Grafton Planning Board
September 24, 2007**

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A regular meeting of the Grafton Planning Board was held on Monday, September 24, 2007 in Conference Room A at the Grafton Municipal Center, 30 Providence Road, Grafton, MA. Present for the meeting were Chairman Peter Parsons, Vice-Chair Robert Hassinger, Clerk Keith Regan, Donald Chouinard, Richard McCarthy and Associate Member Christophe G. Courchesne. Staff present was Town Planner Stephen Bishop.

Chairman Parsons called the meeting to order at 7:00 p.m.

**SP 2007-7 TOWN OF GRAFTON – 30 PROVIDENCE ROAD - GRAFTON FIRE
STATION BUILDING COMMITTEE – 26 UPTON STREET**

Mr. Regan read the legal notice and Chairman Parsons opened the public hearing at 7:01 p.m.

Present for the hearing were Bill Murray of Places Site Consultants and Mike Mills of the Grafton Fire Station Building Committee

Mr. Murray presented photos of the balloon test performed at the site of the proposed Grafton Fire Station, for construction of a wireless communication facility (fire radio antennae/tower). Mr. Murray stated that the balloon was raised to a height of about 65' 2". Mr. Murray stated that the antennae will be located in line with the peak of the roof and will consist of galvanized metal on reinforced concrete base.

Mr. Hassinger inquired about the amount of trees to be lost. Mr. Murray replied that no large trees are to be removed, mostly small scrub.

Mr. Mills stated that he could not see Cumberland Farms from the Grafton Common and that the antenna is fairly deep into the site.

Ms. Suzanne Pollinger of 47 Upton Street stated that she attempted to observe the balloon testing but that it was raining and she could not see the balloon. Ms. Pollinger also inquired whether or not the antenna could be lower.

Mr. Murray stated that the antenna will be as low as it can be and still be effective. Mr. Murray stated that the antenna is necessary for the work to be performed with public safety and the antenna is not for private communications.

Ms. Pollinger inquired as to the location of the antenna to which Mr. Murray showed her the plans and pointed out that the antenna will be located behind the proposed fire station and you will not be able to see the lattice work from the road.

Mr. Parsons thanked Ms. Pollinger for expressing her concerns.

MOTION by Mr. Regan, **SECOND** by Mr. Chouinard, to close the public hearing.
MOTION carried unanimously.

MOTION by Mr. McCarthy, **SECOND** by Mr. Parsons, to have staff draft a decision.
MOTION carried unanimously.

**SP 2007-9 GREGORY SCANLON – ANYTIME FITNESS – COUNTRY PLAZA -
100 WORCESTER STREET**

Mr. Regan opened the public hearing.

Christophe Courchesne recused himself from the hearing.

Present for the hearing were Gregory Scanlon, petitioner, Michelle Scanlon, and Andrea Matteson of Edens and Avant Financing.

Mr. Bishop informed the Board that the proposed business is a 24 hour operation and that feedback has been received from both the Board of Health and the Police Station.

Mr. Scanlon gave an overview to the Board and stated that the proposed business is a 24 hour fitness center. Mr. Scanlon stated that he met with the Building Inspector and the Police Chief who suggested that a special permit might be necessary.

Ms. Suzanne Pollinger of 47 Upton Street inquired as to whether the facility is for both men and women.

Mr. Scanlon stated that the facility is for both men and women and also stated that there are security necklaces provided which notify a security company if activated.

Ms. Matteson informed the Board that the facility is part of a franchise which has no record of any incidences. She explained that there is a gate tracker which knows who is walking in and that only about 10% of the members actually use the facility between 10 p.m. and 5 a.m. but have the convenience to do so if they wish.

Mr. McCarthy inquired about the hours of operation which will be staffed. Mr. Scanlon stated that he does not know exactly until trainers and people to teach classes have been hired. Mr. Scanlon stated that the probable staffed hours will be from 8 a.m. to 6 p.m. Monday through Friday and 12 p.m. to 4 p.m. Saturday and Sunday.

Mr. Chouinard inquired about the hours of operation of Stop & Shop. Mr. Scanlon stated that Stop & Shop closes from 12 a.m. to 6 a.m. but that the lights in the parking lot will remain on when Stop & Shop is closed.

Mr. Regan asked about signage. Mr. Scanlon stated that they will have a standard sign on the pylon. Mr. Hassinger informed Mr. Scanlon that there are conditions in the permit for the building in relation to signage which need to be complied with.

Mr. Hassinger inquired whether the permit was within parking lot provisions to which Mr. Bishop stated that they were.

Mr. Parsons inquired about wireless PSPs. Mr. Scanlon stated that there will be a visible button and also necklaces available with a panic button which will alert a security company and emergency services. Mr. Scanlon stated that the necklaces may also be signed out and taken home.

Mr. Parson inquired about the DVD time? Ms. Scanlon stated that it is 1 week.

MOTION by Mr. Regan, **SECOND** by Mr. Hassinger, to close the public hearing.
MOTION carried unanimously.

MOTION by Mr. McCarthy, **SECOND** by Mr. Parsons, to have staff draft a decision.
MOTION carried unanimously.

**ACTION ITEM 2-A – REQUEST FOR ACCEPTANCE OF BOND FOR
COMPLETION OF – BROOKMEADOW VILLAGE**

Mr. Bishop informed the Board that Mr. Normand Gamache of Guerriere & Halnon, Inc. is petitioning the Board for partial release of bond instrument.

Present were Normand Gamache of Guerriere & Halnon, Inc., Attorney Joseph Antonellis, and Greg Burrill.

Mr. Antonellis spoke on behalf of Mr. Burrill stating that Mr. Burrill has secured a performance bond with the contractor that he has hired to complete the work. Mr. Antonellis stated that as a result of the performance bond, Mr. Burrill has a guarantee from an insurance company, that work will be completed under the scope of the contract with the contractors and not just the amount of money bonded, as is with a cash bond.

Mr. Antonellis informed the Board that the request is for release of the 20% that Graves incorporates into the bond as an inflationary factor and to cover cost if the project were to be placed back out into public bid, should the applicant walk away from the project.

Mr. Regan inquired if they are asking to change the amount of lots allowed for Certificates of Occupancy. Mr. Antonellis stated they are not asking to change the amount of lots released.

Mr. Courchesne stated that the situation of the builder bonding with an insurance company is beneficial to the Town because the work is to be completed by the bonding

company and not the Town should things change. Mr. Courchesne suggested seeking Town Council's opinion to make everyone feel comfortable with the decision.

MOTION by Mr. Regan, **SECOND** by Mr. McCarthy, to approve bond release of 20 lots. **MOTION** carried unanimously.

ACTION ITEM 2-B – REQUEST FOR PARTIAL RELEASE OF COVENANT – BROOKMEADOW VILLAGE

Mr. Greg Burrill, Normand T. Gamache, and Attorney Joseph Antonellis were present.

The Board conditioned the signing of the release of the lots on bonding. The Board instructed the Town Planner to release lots once the proper amount has been bonded to the Town.

ACTION ITEM 2-C – REQUEST FOR DETERMINATION OF A MODIFICATION – BROOKMEADOW VILLAGE

Mr. Greg Burrill, Normand T. Gamache, and Attorney Joseph Antonellis were present.

Mr. Gamache informed the Board that a wall on Open Space Parcel II is being proposed at the entrance off of Providence Road.

The Board inquired who was to maintain the wall on the Open Space. Mr. Burrill suggested the possibility of a restrictive covenant on the deed of the homeowner of the lot which now contains the model house.

Mr. Chouinard inquired as to whether there are to be signs on the walls. Mr. Burrill stated that there will be no signs.

Mr. Hassinger inquired as to whether signs are being proposed for the entrance off of Milford Road and suggested that a plan be submitted.

The Board requested the applicant to provide enough information for entryway for the Board to make a decision.

ACTION ITEM 2-D – REQUEST FOR BOND REDUCTION – MAZZA FARMS

MOTION by Mr. Regan, **SECOND** by Mr. McCarthy, to allow the bond reduction. **MOTION** passed unanimously.

ACTION ITEM 2-E – REQUEST FOR BOND REDUCTION – GLENWOOD ESTATES II SUBDIVISION

MOTION by Mr. Chouinard, **SECOND** by Mr. Regan, to allow the bond reduction. **MOTION** passed unanimously.

ACTION ITEM 2-F – CONSIDER DECISION – SP 2007-8 GRAFTON WATER DISTRICT – 67 UPTON STREET

Mr. Bishop informed the Board that the Grafton Water District has agreed to provide a platform, for potential future use for an antenna, which will be built into the design. Mr. Bishop stated that an additional finding stating “such as but not limited to” will be added to the decision as finding F11.

MOTION by Mr. Regan, **SECOND** by Mr. Hassinger, to approve findings with the additional finding as discussed. **MOTION** passed unanimously.

MOTION by Mr. Regan, **SECOND** by Mr. McCarthy, to grant the special permit with conditions as discussed. **MOTION** passed unanimously.

ACTION ITEM 2-G – PLANNING BOARD REPORT ON PROPOSED AMENDMENT TO THE GRAFTON ZONING MAP

MOTION by Mr. Regan, **SECOND** by Mr. Chouinard, to approve the Planning Board report as written. **MOTION** passed 5 in favor with 1 abstention (Mr. Hassinger)

DISCUSSION ITEM 3-A – UPDATE ON MAGNOLIA FARMS SUBDIVISION STATUS

Mr. Bishop gave an overview of a site visit. Mr. Bishop stated that Magnolia Farms is on the October 22, 2007 Agenda. Mr. Bishop stated that he has been communicating with Webster Bank and has written a letter to Mr. Mahoney requiring action.

Mr. Regan inquired whether safety is an issue.

Mr. Bishop stated that there is exposed ledge, silt in catch basins and an 8’ to 10’ tall retaining wall that has a bow in it.

Mr. McCarthy inquired whether Graves Engineering, Inc. is to generate a cost estimate. Mr. Bishop stated that a cost estimate will be developed if voted at the hearing.

DISCUSSION ITEM 3-B – DECISION – SP 2007-3 DAVID MASON/MASON CONSTRUCTION – 129 FERRY STREET

Mr. Bishop stated that the Board should consider how well the proposed project complies with the overall water supply protection district. Mr. Bishop stated that the office is secondary to the storage. Mr. Bishop expressed concern about maintenance of vehicles on site and would like to have further conversation with the Board.

Mr. Regan stated that he would like to check with Town Council for suggestions on how to approach this issue.

Mr. Bishop handed out correspondence from Conservation regarding drainage issues.

STAFF REPORT

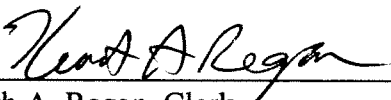
Mr. Bishop informed the Board that 40R has been approved.

Mr. Hassinger inquired as to where the money is and suggested asking for a totaling of time lines.

Mr. Bishop informed the Board that of the 43D sites, Grafton received the full \$150,000.

Mr. Bishop stated that Ferry Ridge is back on the Agenda for October 22, 2007.

MOTION by Mr. McCarthy, **SECOND** by Mr. Parsons, to adjourn the meeting at 9:55 p.m. **MOTION** passed unanimously.



Keith A. Regan, Clerk